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LEGISLATIVE HISTORY
Public Law 85-666
H. R. 6038

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Index and summary of H. R. 6038

Mar. 14, 1957	Rep. Sisk introduced H. R. 6038 which was referred to the House Interior and Insular Affairs Committee.
June 18, 1958	House committee ordered H. R. 6038 reported without amendment.
June 26, 1958	House committee reported H. R. 6038 without amendment. H. Report No. 2032.
July 7, 1958	House passed H. R. 6038 without amendment.
July 8, 1958	H. R. 6038 was referred to the Senate Interior and Insular Affairs Committee.
July 31, 1958	Senate committee reported H. R. 6038 without amendment. S. Report No. 2079.
Aug. 4, 1958	Senate passed H. R. 6038 without amendment.
Aug. 14, 1958	Approved: Public Law 85-666.

DIGEST OF PUBLIC LAW 85-666

EXCHANGE OF LANDS BETWEEN SEQUOIA NATIONAL FOREST AND KINGS CANYON NATIONAL PARK. Excludes from the Kings Canyon National Park and makes part of the Sequoia National Forest a tract of about 160 acres, and excludes from this national forest and adds to this national park certain described lands aggregating about 220 acres.

85TH CONGRESS
1ST SESSION

H. R. 6038

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1957

Mr. SISK introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of improving the boundary of Kings
4 Canyon National Park, California, and excluding therefrom
5 certain land that is no longer needed for park purposes, that
6 particular area of the park, comprising approximately 160
7 acres, lying west of the section line between sections 21 and
8 22, and lying west of the section line between sections 27
9 and 28, township 13 south, range 30 east, Mount Diablo
10 meridian, is hereby excluded from the park.

1 Land excluded from the park by this section hereafter
2 shall be a part of the Sequoia National Forest.

3 SEC. 2. For the purpose of facilitating park road main-
4 tenance, and to include in the park certain property that is
5 desirable for future use and development, the following land
6 situated in section 7, township 14 south, range 28 east,
7 Mount Diablo meridian, is hereby excluded from the Sequoia
8 National Forest and added to the Kings Canyon National
9 Park:

10 East half northeast quarter, east half west half northeast
11 quarter, northeast quarter southeast quarter, east half north-
12 west quarter southeast quarter, and those portions of the
13 southeast quarter southeast quarter and of the east half south-
14 west quarter southeast quarter, lying north of the right-of-
15 way of State Highway 180.

85TH CONGRESS
1ST SESSION

H. R. 6038

A BILL

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

By Mr. SISK

MARCH 14, 1957

Referred to the Committee on Interior and Insular Affairs

17. FOREIGN AID. The conferees agreed to file a conference report on H. R. 12181, the mutual security authorization bill. p. D562
18. ELECTRIFICATION. A subcommittee of the Jt. Committee on Atomic Energy ordered reported with amendment S. 3788 and H. R. 12459, authorizing appropriations for certain Atomic Energy Commission activities including the cooperative power reactor demonstration program. p. D562
19. FORESTRY. The Interior and Insular Affairs Committee ordered reported without amendment H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park. p. D560
20. STATEHOOD; RECLAMATION. The "Daily Digest" states as follows: "Committee on Interior and Insular Affairs: Announced that a point of order was made and sustained against consideration of H. R. 49, Hawaii statehood bill, as scheduled. By a rollcall vote of 14 to 8, the committee voted to make in order as the first item of business on Wednesday, June 25, the consideration of H. R. 594, Fryingpan-Arkansas project, Colorado, and by a rollcall vote of 19-5 voted that H. R. 49 will be considered following completion of action on H. R. 594." p. D560
21. APPROPRIATIONS. Conferees were appointed on H. R. 12428, the State-Justice appropriation bill for 1959. Senate conferees were appointed June 11. p. 10487
Passed without amendment H. R. 12948, the District of Columbia appropriation bill for 1959. The bill includes funds for a school milk program for D. C. school children, and for the distribution of surplus commodities and relief milk to public and charitable institutions. pp. 10508-511
Rep. Wilson, Ind., discussed the agricultural appropriation bill for 1959, commented on language in the bill prohibiting this Department from making changes in the ACP program unless first recommended by the county committees and approved by the State committees, and stated that "it is unfortunate that the administration of the agricultural conservation program cannot be entrusted to the Department of Agriculture." pp. 10511-512
Debated H. R. 12858, making appropriations for civil functions administered by the Army, Interior, and TVA for 1959 (includes appropriations for the Bureau of Reclamation, Bonneville Power Administration, Southeastern Power Administration and Southwestern Power Administration). pp. 10512-530
22. PUBLIC WORKS. Passed with amendment, under suspension of the rules, S. 3910, to authorize public works on rivers and harbors and flood control projects. A similar bill, H. R. 12955, was laid on the table. pp. 10493-508
23. BUDGETING. Received from the President amendments to the budget for 1959, involving an increase in the amount of \$8 million for mutual assistance programs (H. Doc. 407); to Appropriations Committee. p. 10536
24. WATERSHEDS. Received letters from the Bureau of the Budget transmitting plans for works of improvement for the Antelope Creek watershed, Nebr., Bear, Fall, and Coon Creeks watershed, Okla., and Auds Creed watershed, Tex.; (to Agriculture Committee); and for the Mud River watershed, Ky., and Tramperos Creek watershed, N. Mex.; (to Public Works Committee). p. 10537

ITEMS IN APPENDIX

25. SURPLUS FOOD. Extension of remarks of Sen. Proxmire commending 4-H Club members and inserting Eric Johnson's speech to the Conference, and stating that he "pointed out that the surplus farm commodities which are so often regarded as a curse and burden by the present administration" have been, in fact, an aid in fighting Communists. pp. A5561-2
26. PAPERWORK; LIBRARIES. Rep. Hays, Ohio, inserted a speech before the Inter-agency Records Administration Conference, "Congressional Committee Views Government Paperwork Management." pp. A5562-5
Rep. Hays inserted a letter emphasizing the importance of management improvement programs. p. A5565
27. STATEHOOD. Various insertions favoring statehood for Alaska and Hawaii. pp. A5565-6, A5568, A5569-70, A5572, A5578, A5582-3, A5584
28. FARM PROGRAM. Rep. Bentley inserted an editorial, "Farmers Are Doing Better." p. A5575
29. ELECTRIFICATION. Extension of remarks of Rep. Aspinall commending REA programs, inserting an editorial, "Preserve This Business," and stating that the editorial "expresses very clearly the feeling of those everywhere who are disturbed by the present administration's attempts to liquidate" these programs. p. A5580
30. RESEARCH. Rep. Beamer inserted an editorial urging support for Sen. Capehart's proposed plan for increased research for marketing and utilization of farm products. p. A5580
31. PEST CONTROL. Extension of remarks of Rep. Metcalf calling attention to his proposed bill for studies of the effects of pesticides on fish and wildlife, and inserting a report, "Effects of the Fire Ant Eradication Program Upon Wildlife, Summary of Information Available May 25, 1958." pp. A5592-4

BILLS INTRODUCED

32. WILDLIFE. S. 4028, by Sen. Humphrey (for himself and others), and H. R. 13013, by Rep. Saylor, to establish a National Wilderness Preservation System for the permanent good of the whole people; to Interior and Insular Affairs Committees. Remarks of Sen. Humphrey. pp. 10401-8
33. MINERALS. H. R. 13000, by Rep. Boggs, to continue until the close of June 30, 1959, the suspension of certain import taxes on copper; to ways and Means Committee.
H. R. 13020, by Rep. Baring, to provide for the purchase of copper; to Interior and Insular Affairs Committee.
34. BUILDINGS. H. R. 13002, by Rep. Burleson, to provide for the erection of a Federal and post office building in Mineral Wells, Tex.; to Public Works Committee.
H. R. 13003, by Rep. Burleson, to provide for the erection of a Federal and post office building in Snyder, Tex.; to Public Works Committee.
H. R. 13004, by Rep. Burleson, to provide for the erection of a Federal and post office building in Dublin, Tex.; to Public Works Committee.

June 26, 1958

"The Director of the Bureau of the Budget also indicated that, as a general policy, the Bureau will not approve any new budget request for training authority to be included in appropriation acts in any year after the year in which this bill is enacted. This is in accordance with the purpose and intent of the bill and the policy of the committee.

"The matter of cost was given primary consideration throughout the committee deliberations in recognition of the importance of preventing in advance any mushrooming of costs or expansion of payrolls whenever approving a new program -- a matter in which the Congress always is directly concerned."

3. FOREIGN AID. Received a revised conference report on H. R. 12181, the mutual security authorization bill (H. Rept. 2038). (pp. 11109-118) See Digest 103 for items of interest to this Department.
4. CIVIL DEFENSE. Passed without amendment H. R. 12827, to extend the standby emergency authorities of FCDA until June 30, 1962. pp. 11121-122
5. TAXATION. Received the conference report on H. R. 12695, to extend for 1 year the corporate normal-tax rate and certain excise tax rates, and to repeal the tax on transportation. The Senate agreed to the report earlier. pp. 11145-146, 11221-223 (H. Rept. 2025)
Reps. McCarthy and Saylor urged repeal of the tax on transportation. pp. 11177, 11180
6. TRAVEL EXPENSES. Passed under suspension of the rules H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. pp. 11168-169
7. ROADS. Passed as reported H. R. 12776, to revise and codify title 23 of the U. S. Code, entitled "Highways." pp. 11169-170
8. PROPERTY. The Government Operations Committee reported without amendment H. R. 12165, to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by RFC and its subsidiaries to other Government Departments (H. Rept. 2024). p. 11184
9. TRANSPORTATION. H. R. 12832, the omnibus transportation bill, as reported by the Interstate and Foreign Commerce Committee (see Digest 100) freezes the so-called agricultural exemption from motor-carrier regulation by the Interstate Commerce Commission to the present list of exemptions, except for a roll-back on frozen fruits, frozen berries, frozen vegetables, coffee, tea, cocoa, hemp, wool imports, and certain categories of domestic wool (i.e., these articles would no longer be exempt). The committee report contains the following statement regarding this provision:
"Regulated carriers are handicapped in their competition with non-regulated carriers for traffic in exempt agricultural commodities. The unregulated carriers are not subject to ICC operating authority, control, rate regulation, rules requiring equal treatment to shippers, areas and commodities, and rules requiring insurance and claims responsibility to which all regulated carriers are subjected. The nonregulated carriers can pick and choose whatever traffic they desire and establish their rates at whatever levels they wish without making them public and without considering whether the charges are reasonable or nondiscriminatory, as required by regulated carriers. As a consequence, large and ever-increasing

volumes of important agricultural commodities and seafood previously handled by regulated carriers, both rail and truck, have been diverted to the exempt truckers and the diversion continues. The impact upon the regulated carriers is already serious. The removal of further classes of traffic from the regulated category is threatened by the trend of administrative and judicial determinations, expanding the scope of the exemption.

"If the Supreme Court's 'continuing substantial identity' test continues to be applied literally by the courts, it is conceivable that a considerable number of other commodities will be held to be exempt, such as canned fruits and vegetables which are processed at large industrial plants rather than by farmers. It is important that this trend be halted before the position of the regulated carriers is more seriously impaired. The committee, therefore, recommends a freezing, with a slight rollback, of the agricultural exemption in accordance with ruling No. 107, March 19, 1958, Bureau of Motor Carriers of the Interstate Commerce Commission. This amendment would halt further expansion of the scope of the exemption, and it would return to economic regulation the transportation of frozen fruits, frozen berries, frozen vegetables, coffee, tea, cocoa, hemp, imported wool and certain categories of domestic wool. The transportation of cooked fish or shellfish, now subject to regulations is made exempt from such regulation. It is not intended that this exemption shall apply to fish or shellfish which have been treated for preserving such as canned, smoked, salted, pickled, spiced, corned or kippered products.

"Any person engaged on June 1, 1958, in trucking the aforementioned commodities which are returned to regulation by this amendment would be entitled upon application to a certificate or permit allowing him, under regulation, to continue hauling the same commodities within the same areas or between the same points."

10. FORESTRY. The Interior and Insular Affairs Committee reported without amendment H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park. (H. Rept. 2032). p. 11184
11. TOBACCO. The Tobacco Subcommittee of the Agriculture Committee ordered reported H. R. 12840, to provide a single acreage allotment for Va. sun-cured and Va. fire-cured tobaccos if farmers vote approval in a referendum. p. D601
12. MINING. A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendment S. 3199, to specify the period for doing annual assessment work on unpatented mineral claims. p. D602
13. WILDLIFE. A subcommittee of the Merchant Marine and Fisheries Committee ordered reported with amendments S. 2617, to authorize the purchase by the Secretary of the Interior of wetlands and small areas for migratory bird sanctuaries from funds collected from the sale of Migratory Bird hunting stamps, and S. 2447, to authorize studies by Interior of the effects of insecticides upon fish and wildlife. p. D602
14. MINERALS; WATER RESOURCES. Passed under suspension of the rules H. R. 11123, to authorize Interior to perform surveys, investigations, and research in geology, biology, minerals and water resources. pp. 11161-162
15. FOREIGN CONSTRUCTION. Received from the Government Operations Committee a report "pertaining to foreign-aid construction projects" (H. Rept. 2012). p. 11184

REVISING THE BOUNDARY OF THE KINGS CANYON NATIONAL PARK, CALIF.

JUNE 26, 1958.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mrs. FROST, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H. R. 6038]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 6038) to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

EXPLANATION OF THE BILL

Purpose

H. R. 6038, introduced by Representative Sisk, will revise the boundary of the Kings Canyon National Park so as to (1) exclude a tract of approximately 160 acres from the park and add it to the Sequoia National Forest and (2) exclude a tract of approximately 220 acres from the Sequoia National Forest and add it to the park.

Need

The 160 acres which will be excluded from the park is in the Summit Meadow area. The exclusion of this land from the park will straighten the park boundary at this location and will exclude 40 acres of privately owned property not needed for park purposes.

The 220 acres which will be added to the park is located adjacent to the General Grant Grove section of the park. The addition of this land will place entirely within the park boundary a loop of State Highway 180 which now enters the park, leaves it, and reenters it. The Interior Department points out in its report that—

with this section of the road entirely within the park, road maintenance responsibilities would be simplified and the confusion which now exists in this area during the hunting season * * * would be eliminated.

Moreover, this 220-acre tract of land is said to contain, among other things, "many splendid *Sequoia gigantea* exhibits * * * worthy of preservation" and is valuable for park purposes.

Cost

No appropriation of Federal funds is authorized by this legislation, and its enactment will entail little or no expenditure by the Federal Government.

Departmental recommendations

The Department of the Interior recommends the enactment of the measure.

AGENCY REPORT

The favorable report of the Department of the Interior, which advises that the Bureau of the Budget has no objection to the submission of the report, is set forth following:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., September 5, 1957.

Hon. CLAIR ENGLE,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.*

DEAR MR. ENGLE: Your committee has requested a report on H. R. 6038, a bill to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

We recommend the enactment of this bill.

This proposed legislation, by revising the boundaries of Kings Canyon National Park, would (1) exclude a tract of approximately 160 acres from the park and add it to Sequoia National Forest; and (2) exclude a tract of approximately 220 acres from the Sequoia National Forest and add it to the General Grant Grove section of the park. Both the proposed exclusion and addition would facilitate the protection and administration of the park.

The proposed exclusion from the park is in the Summit Meadow area. The straightening of the boundary at this location would provide a boundary easy to identify and would exclude from the park privately owned property of approximately 40 acres that is not needed for park purposes. Also, the proposed boundary would be very close to the hydrographic divide between Lightning Creek and Sheep Creek. This would be a considerable improvement over the present boundary. The lands to be excluded from the park would become a part of the Sequoia National Forest.

The proposed addition to the park, which is all federally owned national forest land, is located adjacent to the General Grant Grove section of the park. One of the primary reasons for this addition is to place entirely within the park boundary a loop of State Highway 180 (Fresno approach road to the Generals Highway) which now enters the park, leaves it, and reenters it. With this section of the road entirely within the park, road maintenance responsibilities would be simplified and the confusion which now exists in this area during the hunting season, because hunters cannot be certain whether they are in the park or in the national forest, would be eliminated.

This tract of land is valuable for park purposes. It contains many splendid *Sequoia gigantea* exhibits which are worthy of preservation.

One of these is the Burned Monarch Stump, believed by many to be the remnant of the largest of all sequoia trees. A historic, early-day mill site located on this tract could provide an ideal setting for an exhibit illustrating early logging practices in the Sierra.

The United States Forest Service officially approved these two boundary revisions on February 16, 1956. Local support was expressed at a public hearing at Visalia, Calif., in the fall of 1955 the principal western conservation groups endorsed these proposals at a meeting on June 3, 1955.

Enactment of this proposed legislation would not result in any appreciable increase or decrease in budgetary requirements for the national park.

The Bureau of the Budget advises us that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

The Committee on Interior and Insular Affairs recommends enactment of H. R. 6038.



Union Calendar No. 823

85TH CONGRESS
2D SESSION

H. R. 6038

[Report No. 2032]

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1957

Mr. SISK introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

JUNE 26, 1958

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of improving the boundary of Kings
4 Canyon National Park, California, and excluding therefrom
5 certain land that is no longer needed for park purposes, that
6 particular area of the park, comprising approximately 160
7 acres, lying west of the section line between sections 21 and
8 22, and lying west of the section line between sections 27
9 and 28, township 13 south, range 30 east, Mount Diablo
10 meridian, is hereby excluded from the park.

1 Land excluded from the park by this section hereafter
2 shall be a part of the Sequoia National Forest.

3 SEC. 2. For the purpose of facilitating park road main-
4 tenance, and to include in the park certain property that is
5 desirable for future use and development, the following land
6 situated in section 7, township 14 south, range 28 east,
7 Mount Diablo meridian, is hereby excluded from the Sequoia
8 National Forest and added to the Kings Canyon National
9 Park:

10 East half northeast quarter, east half west half northeast
11 quarter, northeast quarter southeast quarter, east half north-
12 west quarter southeast quarter, and those portions of the
13 southeast quarter southeast quarter and of the east half south-
14 west quarter southeast quarter, lying north of the right-of-
15 way of State Highway 180.

85TH CONGRESS
2^D Session

H. R. 6038

[Report No. 2032]

A BILL

To revise the boundary of the Kings Canyon
National Park, in the State of California,
and for other purposes.

By Mr. SISK

MARCH 14, 1957

Referred to the Committee on Interior and Insular
Affairs

JUNE 26, 1958

Committed to the Committee of the Whole House on
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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 8, 1958
For actions of July 7, 1958
85th-2d, No. 112

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HIGHLIGHTS: House passed bill to establish townsites from forest lands.

HOUSE

1. FORESTRY. Passed without amendment H. R. 12161, to provide for the establishment of townsites from national forest lands. p. 11863
Passed without amendment H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park, Calif. p. 11861
2. PEANUTS. Passed as reported H. R. 12224, to prohibit the creation of an acreage history on peanuts after 1957 by those growing peanuts without an acreage allotment. p. 11851
3. CHEMICAL ADDITIVES. The Interstate and Foreign Commerce Committee reported without amendment H. R. 9521, to amend the Federal Food, Drug, and Cosmetic Act so as to revise the definition of the term "chemical additive" to provide that it shall not include any pesticide chemicals when used in or on any raw agricultural commodity which is produced from the soil (H. Rept. 2119). p. 11890
4. PERSONNEL. Passed without amendment S. 1901, to grant overtime pay for irregular and unscheduled hours of work beyond regular tours of duty (for fire fighters etc.). This bill will now be sent to the President. p. 11850

5. BUILDINGS. Passed without amendment S. 2108, to authorize GSA to name, re-name, or otherwise designate any building under its custody. This bill will now be sent to the President. pp. 11850-51
6. MINERAL LEASES. Passed as reported S. 2069, to amend the Mineral Leasing Act so as to increase the aggregate acreage of coal leases which may be held by one person in any one State. pp. 11851-52
7. SURPLUS PROPERTY. Passed as reported S. 2752, to modify the procedures for submitting proposed surplus property disposals to the Attorney General. p. 11852
8. SMALL BUSINESS. Rep. Patman urged the enactment of legislation for the aid of small businesses. pp. 11888-89
9. FOREIGN AID. Received from the Deputy Managing Director, Development Loan Fund, a letter relative to the establishment of a loan of not to exceed \$40 million to the Plan Organization of Iran. p. 11890

SENATE

10. BUDGETING. Sen. Proxmire submitted, as an amendment to H. R. 8002 (the accrued-expenditures budgeting bill), the language of S. 434 (the Senate bill on the same subject) and inserted telegrams from members of the Hoover Commission on Reorganization urging the passage of the bill. p. 11822
11. MINERALS. Passed with amendments S. 3817, to authorize loans for development of mineral resources in the U. S. pp. 11838-43
Sen. Carroll was added as cosponsor to S. 4036, to provide price stabilization payments to mineral producers. p. 11823
12. CIVIL DEFENSE; DEFENSE PRODUCTION. S. Res. 297, to disapprove Reorganization Plan No. 1 of 1958 (to combine ODM and FCDA) was indefinitely postponed. p. 11823
13. IMPORTS. Senate conferees were appointed on H. R. 6006, to provide for greater certainty, speed, and efficiency in the enforcement of the Antidumping Act, House conferees have been appointed. p. 11831
14. MONOPOLIES. The Judiciary Committee reported with amendment S. 721, to expedite the enforcement of Clayton Act cease and desist orders (S. Rept. 1808). p. 11821
15. STATEHOOD. Sen. Proxmire inserted a TV interview of Sen. Church in which he discussed Alaskan statehood. pp. 11828-31
16. RECLAMATION. Received from the Interior Department reports on the proposed Molokai project, Hawaii, and the Norman project, Okla. p. 11820
17. LANDS. Received from the Interior Department a proposed bill to direct the Secretary of the Interior to administer certain acquired lands as revested Ore. and Calif. railroad grant lands; to the Interior and Insular Affairs Committee. p. 11820
18. FARM PROGRAM. Received from the La. Legislature a resolution commending Sen. Ellender for his services on behalf of international relations, world peace, flood-control work, and agriculture. p. 11820

The membership of this Board would be made up of specially qualified persons in the Patent Office. The Commissioner and Assistant Commissioners would be ex officio members and could participate in hearing and deciding cases.

This same board would also hear all appeals from refusals by the Examiner of Trademarks.

Under existing law, a party may take an appeal from the Commissioner's decision in either of these cases to the Court of Customs and Patent Appeals. The determination of the Commissioner can also be reviewed by the United States District Court. The bill would leave these rights of appeal intact. Either party in a contested case, or the applicant in the case of a refusal, could go to the courts from the determination of the board.

Mr. Speaker, this bill is recommended by the Department of Commerce, and is a measure well deserving of enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL COMPENSATION FOR CERTAIN BLIND VETERANS

The Clerk called the bill (H. R. 10461) to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 315 (m) of the Veterans' Benefits Act of 1957 (38 U. S. C. 2315 (m)) is amended by inserting immediately before "or has suffered blindness in both eyes" the following: "or has suffered blindness in both eyes having only light perception."

SEC. 2. The amendment made by this act shall apply only with respect to compensation payable for months after the month in which this act is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITIONAL LAND FOR COWPENS NATIONAL BATTLEGROUND

The Clerk called the bill (S. 602) to provide for the acquisition of additional land to be used in connection with the Cowpens National Battleground site.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in addition to the land heretofore acquired by the United States by gift pursuant to the act entitled "An act to erect a national monument at Cowpens battleground," approved March 4, 1929 (45 Stat. 1558), for the purpose of erecting a monument on the site of the Cowpens battleground, the Secretary of the Interior is authorized, in his discretion, to accept, on behalf of the United States, donations of land not to exceed 1 acre, situated adjacent to and between the present battlefield site and relocated Highway 11.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND TO THE CITY OF SALEM, OREG.

The Clerk called the bill (S. 2318) to provide for the conveyance of certain land of the United States to the city of Salem, Oreg.

There being no objection, the Clerk read bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the city of Salem, Oreg., all right, title, and interest of the United States in and to a tract of revested Oregon and California railroad land containing approximately 28.84 acres. Such tract is lot 9, section 13, township 9 south, range 1 west, Willamette Meridian, in Linn County, Oreg., which includes Stayton Island and the left bank of the North Santiam River.

SEC. 2. The conveyance authorized by this act shall be conditioned upon the city of Salem paying to the Secretary of the Interior as consideration for the tract conveyed an amount equal to its fair market value as determined by the Secretary. The deed of conveyance of such tract shall contain such other terms and conditions as may be considered by the Secretary to be necessary to protect the interests of the United States.

SEC. 3. If a sale is not made hereunder within 3 years after the date of enactment of this act, all authority conferred by this act shall terminate.

SEC. 4. Nothing in this act shall be deemed to relieve the city of Salem of any liability existing on the date of approval of this act with respect to the land described in section 1.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUITCLAIM A TRACT OF LAND IN KENTUCKY

The Clerk called the bill (H. R. 4503) to provide that all interests of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed and returned to the Commonwealth of Kentucky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior of the United States is hereby authorized and directed to forthwith quitclaim, release and deed back to the Commonwealth of Kentucky all of its right, title and interest of said United States in and to the following described tract of land situated in the Commonwealth of Kentucky, county of Franklin, on the right bank of the Kentucky River, approximately 2,000 feet downstream from the city of Frankfort and more particularly described as follows to wit:

Beginning at the northeast corner of the right back (abutment side) of Kentucky River lock and dam numbered 4 reservation, said property corner being about 1,310 feet downstream and 196 feet landward from the centerline of dam numbered 4, said corner being 70 feet east of the downstream entrance road to the abutment side of the United States reservation; thence with the lines of said reservation along an old stone wall as follows:

South 6 degrees 50 minutes east 413 feet, south 15 degrees 50 minutes east 276 feet, south 49 degrees 53 minutes east 591.88 feet, south 36 degrees 18 minutes west 345 feet, south 53 degrees 18 minutes east 288 feet, south 38 degrees 31 minutes west 243 feet

to a point; thence along the southwest property line of the abutment side of the United States reservation running 18.89 feet west of the southwest corner of a brick building;

North 55 degrees 45 minutes west 550 feet, more or less, to a point on the right back upper pool line (elevation 470.35) of dam numbered 4; thence downstream with the meanders of said pool line;

Northeasterly 200 feet, more or less, to the right bank downstream face of dam numbered 4; thence from said dam and with the meanders of the right bank lower pool line (elevation 457.13) downstream; and

Northerly 1,290 feet, more or less, to the northwest corner of the abutment side of the United States reservation; thence leaving the right bank lower pool line;

North 83 degrees 40 minutes east 196 feet, more or less, to the point of beginning, containing 12.0 acres, more or less.

Being the same land conveyed to the United States by an act of the Kentucky Legislature of 1879, chapter 58, page 9, section 4.

With the following committee amendment:

Page 1, line 3, strike all of the language appearing thereon and insert in lieu thereof the following: "That subject to restrictions, reservations, and easements determined by the Secretary of the Army to be necessary, the Administrator of General Services is."

The committee amendment was agreed to:

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING BOUNDARY OF KINGS CANYON NATIONAL PARK, CALIF.

The Clerk called the bill (H. R. 6038) to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of improving the boundary of Kings Canyon National Park, Calif., and excluding therefrom certain land that is no longer needed for park purposes, that particular area of the park, comprising approximately 160 acres, lying west of the section line between sections 21 and 22, and lying west of the section line between sections 27 and 28, township 13 south, range 30 east, Mount Diablo meridian, is hereby excluded from the park.

Land excluded from the park by this section hereafter shall be a part of the Sequoia National Forest.

SEC. 2. For the purpose of facilitating park road maintenance, and to include in the park certain property that is desirable for future use and development, the following land situated in section 7, township 14 south, range 28 east, Mount Diablo meridian, is hereby excluded from the Sequoia National Forest and added to the Kings Canyon National Park:

East half northeast quarter, east half west half northeast quarter, northeast quarter southeast quarter, east half northwest quarter southeast quarter, and those portions of the southeast quarter southeast quarter and of the east half southwest quarter southeast quarter, lying north of the right-of-way of State Highway 180.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LAND AT VICKSBURG NATIONAL MILITARY PARK, MISS.

The Clerk called the bill (H. R. 11008) to authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Miss., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to further the consolidation of land comprising Vicksburg National Military Park, the Secretary of the Interior is hereby authorized upon such terms and conditions as he may deem necessary, to transfer to the city of Vicksburg, Miss., for school purposes, a tract of park land containing three and one-tenth acres, more or less, now under revocable permit to said city, acting through its board of education, and to transfer to the Mississippi State Highway Commission a tract of park land containing one and thirty-two hundredths acres, more or less, now under revocable permit to said commission for use as a site for a weighing station: *Provided*, That, from among the land designated as tracts 199, 201, 202, 203, 204, 205, 206, and 216 on map No. NMP-VIC-7007, said city and highway commission shall transfer in exchange to the United States, for addition to Vicksburg National Military Park, such land or interests therein as may be mutually agreed upon and which are approximately equal in value to the properties being acquired in each case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPORTIONMENT OF COMPENSATION OF VETERANS WHO DISAPPEAR

The Clerk called the bill (H. R. 12927) to amend section 358 of the Veterans' Benefits Act of 1957 to provide for apportionment of compensation of veterans who disappear.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 358 of the Veterans' Benefits Act of 1957 (38 U. S. C. 2358) is amended by striking out "an incompetent veteran" and inserting a "veteran."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING FEDERAL-AID HIGHWAY ACT OF 1956

The Clerk called the bill (H. R. 10426) to provide that the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Cong., ch. 462, 2d session) shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first proviso of section 140 (a) of Public Law 627, 84th Congress, chapter 462, 2d session, be amended to read: *Provided*, That the agreement between the Secretary of Commerce and the State highway department for the reimbursement of the cost of such rights-of-way shall

provide for the actual construction of a road on such rights-of-way within a period not exceeding 7 years following the fiscal year in which such request is made and that this proviso shall apply to purchases heretofore made under this section of said 1956 act."

(Mr. CRAMER (at the request of Mr. CUNNINGHAM of Iowa) was given permission to extend his remarks at this point in the RECORD.)

[Mr. CRAMER'S remarks will appear hereafter in the Appendix.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVIL AND CRIMINAL JURISDICTION OVER INDIAN COUNTRY IN ALASKA

The Clerk called the bill (H. R. 9139) to amend the law with respect to civil and criminal jurisdiction over Indian country in Alaska.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM of Iowa. Mr. Speaker, reserving the right to object—and I do not intend to object—I should like to say to the Delegate from Alaska, Mr. BARTLETT, prior to asking him a question, that during the years I have served on the Consent Calendar Objectors Committee, I have found him most cooperative, kindly, and helpful in regard to all legislation affecting the Territory of Alaska during his service up to date in the House of Representatives.

I, Personally, wish to thank him and to commend him for his splendid cooperation. I have found that always, when he was in doubt as to whether a bill was suitable for the Consent Calendar or to be considered on the Consent Calendar, he would call, personally see me, go over it and help to iron out any objections or offer amendments.

Also I have found that seldom does a bill of his go on the Consent Calendar to which there is objection. Now that Alaska has become a State or will become a State soon we will probably not have the privilege of cooperating with him in the same manner. I wanted to say this word in his behalf; and also to ask him whether, in his opinion, since Alaska is to be a State, the bill now pending is necessary?

Mr. BARTLETT. Mr. Speaker, first I want to thank my friend from Iowa for his kind remarks. I appreciate them very much indeed. For my part I want to say that he has done much for Alaska over the years.

In reply to his question, the fact is that under statehood Alaska will need this legislation just as much as it would under Territorial status. There is a legal "no man's land" at the present time on account of a court decision of 1957.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I thank the gentleman; and I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1162, title 18, United States Code, is amended (i) by inserting after "State" each time the word

appears, "or Territory", (ii) by inserting after "States" each time the word appears "or Territories", and (iii) by adding at the beginning of the list in subsection (a) of section 1162 the following:

"Alaska—All Indian country within the Territory."

SEC. 2. Section 1360, title 28, United States Code, is amended (i) by inserting after "State" each time the word appears, "or Territory", (ii) by inserting after "States" each time the word appears "or Territories", and (iii) by adding at the beginning of the list in subsection (a) of section 1360 the following:

"Alaska—All Indian country within the Territory."

With the following committee amendments:

1. Page 1, line 3, after "That" insert "subsection (a) of."

2. Page 1, line 4, after "appears" insert "except in the second column of the list in subsection (a) of section 1162."

3. Page 2, line 1, delete "Section" and insert in lieu thereof "Subsection (a) of section."

4. Page 2, line 3, after "appears" insert "except in the second column of the list in subsection (a) of section 1360."

The committee amendments were agreed to.

(Mr. KEATING asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KEATING. Mr. Speaker, H. R. 9139 will extend the Territorial law of Alaska to all Indian countries in Alaska.

Criminal offenses by one Indian against the person or property of another Indian, when committed within so-called Indian country, are punishable under Indian tribal law. State laws or Federal Territorial laws usually do not apply. General Federal law does cover the crimes of murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery and larceny when they are committed in Indian country. These crimes are covered by the Federal law popularly known as the Ten Major Crimes Act.

The need for enactment of the proposed bill arose out of decisions of the United States District Court for the District of Alaska in the cases of *In re McCord* and *In re Nickanorka*. The defendants were charged with statutory rape under the Territorial law of Alaska. The court held that because the incident occurred in Indian country the Territorial law did not apply. It held also that the Ten Major Crimes Act, referred to above, did not apply either because statutory rape is not included in the Federal crime of rape. As a result the defendants were released.

The Court also decided that the Indian village in which the rape occurred came within the definition of Indian country. This interpretation, of course, will apply to many other native villages in Alaska. Unfortunately, native villages such as these do not have adequate machinery for enforcing law and order.

They have no police, no criminal court, no tribal court and in many instances no formal organization at all. The reason for this lack of organization is that the Territorial government in Alaska has maintained law and order in the native

85TH CONGRESS
2D SESSION

H. R. 6038

IN THE SENATE OF THE UNITED STATES

JULY 8 (legislative day, JULY 7), 1958

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of improving the boundary of Kings
4 Canyon National Park, California, and excluding therefrom
5 certain land that is no longer needed for park purposes, that
6 particular area of the park, comprising approximately 160
7 acres, lying west of the section line between sections 21 and
8 22, and lying west of the section line between sections 27
9 and 28, township 13 south, range 30 east, Mount Diablo
10 meridian, is hereby excluded from the park.

1 Land excluded from the park by this section hereafter
2 shall be a part of the Sequoia National Forest.

3 SEC. 2. For the purpose of facilitating park road main-
4 tenance, and to include in the park certain property that is
5 desirable for future use and development, the following land
6 situated in section 7, township 14 south, range 28 east,
7 Mount Diablo meridian, is hereby excluded from the Sequoia
8 National Forest and added to the Kings Canyon National
9 Park:

10 East half northeast quarter, east half west half northeast
11 quarter, northeast quarter southeast quarter, east half north-
12 west quarter southeast quarter, and those portions of the
13 southeast quarter southeast quarter and of the east half south-
14 west quarter southeast quarter, lying north of the right-of-
15 way of State Highway 180.

Passed the House of Representatives July 7, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

JULY 8 (legislative day, JULY 7), 1958

Read twice and referred to the Committee on Interior and Insular Affairs

July 31, 1958

the Department concerned to make intra-departmental transfers between such limitations. When an appropriation is subject to such a limitation, there shall be charged against it the cost of assets received, payments made and becoming due, and other liabilities becoming payable. At the end of the fiscal year, any unused balance of the limitation shall lapse, except that payments may be made for liabilities incurred within the limitation during the fiscal year for which the limitation was provided. Obligations incurred during the fiscal year concerned, which do not become payable during that year, shall be paid out of the limitation in effect when the obligations become payable. It shall be in order to include accrued-expenditure limitations in appropriation bills that apply to funds previously appropriated. It shall be in order to include, in any appropriation bill, provisions authorizing departmental transfers of unused portions of accrued-expenditure limitations.

Sen. Hayden submitted an amendment to make effective the requirement for accrued-expenditure estimates only if the item is available for obligation for more than 1 year. After debate, the yeas and nays were ordered on the amendment. Sen. Hayden then withdrew his amendment. pp. 14393-5

Sen. Fulbright stated that the Senate had power to initiate expenditure bills and that the Constitution only requires that direct revenue measures, not appropriations, begin in the House. He defended public debt transactions as a financing method and referred to provisions of capital funds for CCC, Public Law 480 operations, etc., as examples. pp. 14379-80

17. INFORMATION. Passed without amendment H. R. 2767 (in place of S. 921, an identical bill), to amend Sec. 161 of the Revised Statutes to state that this section does not authorize the withholding of information or limiting the availability of records to the public. This bill will now be sent to the President. pp. 14356-67
18. WATER DEVELOPMENT. Passed without amendment H. R. 13138, to amend the Coordination Act so as to provide more effective integration of fish and wildlife conservation programs with Federal water development programs. This bill will now be sent to the President. pp. 14381-2
19. PERSONNEL. Passed with amendment H. R. 4640, to amend the Civil Service Retirement Act to permit persons transferring to non-Act positions to retain voluntary contribution accounts. Agreed to a committee amendment to clarify the provisions permitting withdrawal of contributions at any time prior to the receipt of annuity payments. pp. 14367-71
20. FORESTRY. The Interior and Insular Affairs Committee reported without amendment the following bills:
 - S. 3682, to authorize the Secretary to convey certain national forest lands in Ariz. to the Univ. of Ariz. (S. Rept. 2070);
 - H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park, Calif. (S. Rept. 2079); and
 - H. R. 6198, to authorize the transfer of not more than 10 acres of land from the Sequoia National Park to the Sequoia National Game Refuge in Sequoia National Forest, Calif. (S. Rept. 2080). p. 14343The Interior and Insular Affairs Committee ordered reported without amendment S. 4053, to extend the boundaries of the Siskiyou National Forest, Ore. p. D769
21. BUTTER; MARGARINE. The Armed Services Committee ordered reported without amendment H. R. 912, to provide for the serving of oleomargarine or margarine in the Navy. p. D768

22. REA. Sen. Humphrey inserted the ruling of the Comptroller General of July 21, 1958, on the REA loan to Central Iowa Power Cooperative, which GAO claimed was not authorized by law on the basis that part of the service to be offered paralleled and competed with private industry. He criticized the ruling and asserted that it could have a highly detrimental effect on the REA loan program. Sen. Aiken spoke in favor of the REA program. pp. 14384-8
23. PERSONNEL. Received from the Interior Department a proposed bill "to permit variation of the 40-hour workweek of Federal employees for educational purposes"; to Post Office and Civil Service Committee. p. 14342
24. PUBLIC DEBT. Sen. Martin, Pa., inserted two editorials criticizing the size of the Federal debt, one urging reductions in expenditures to balance the budget and the other criticizing the failure to achieve budget surpluses in recent years of prosperity. pp. 14383-4
25. LEGISLATIVE PROGRAM. Sen. Johnson announced that following consideration of S. 4208, the space agency bill (which was the pending business), the Senate would take up S. 3185, to promote the conservation of fish and wildlife by requiring the Secretary of the Interior to approve certain Federal Power Act licenses. pp. 14395-6

ITEMS IN APPENDIX

26. FARM PROGRAM. Sen. Robertson inserted a newspaper editorial, "Return to a Sound Principle," which commended the farm bill as passed by the Senate, and stated that "the bill represents an important step toward helping farmers adjust their production to market demands instead of depending upon Government subsidies." pp. A6854-55
27. GOVERNMENT ETHICS. Sen. Neuberger inserted two articles discussing the need for establishing a code of ethics for Government service. p. A6855
28. ELECTRIFICATION. Rep. Evins inserted a statement by Rep. Baker on the reasons why the latter thought TVA should have a self-financing program. pp. A6857-58
Extension of remarks of Rep. Broomfield urging the defeat of S. 1869, to provide TVA with the authority to issue bonds to finance the construction of new generating capacity. p. A6878
29. SMALL BUSINESS. Rep. Springer inserted a newspaper editorial urging enactment of legislation to provide tax relief for small business. p. A6858
30. FORESTRY. Sen. Neuberger inserted an editorial from the American Forest magazine, "Sustained Yield Versus Continuous Growth," urging that S. 3051, the Klamath Indian land bill, include provisions for the future management of the forest lands involved on a sustained yield basis. p. A6861
31. TRANSPORTATION. Extension of remarks of Rep. Moore commending the House for passage of S. 3778, the omnibus transportation bill. p. A6862
32. CONSERVATION. Rep. Metcalf praised the work of Dr. Joseph W. Severy, who is retiring from his position as professor of botony at the Montana State University, and stated "he ranged far into the related field of wildlife and resource management to make a solid contribution to conservation throughout the Nation." pp. A6878-79

REVISING THE BOUNDARY OF THE KINGS CANYON NATIONAL PARK, CALIF.

JULY 31, 1958.—Ordered to be printed

Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H. R. 6038]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 6038) to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

EXPLANATION OF THE BILL

Purpose

H. R. 6038, introduced by Representative Sisk, will revise the boundary of the Kings Canyon National Park so as to (1) exclude a tract of approximately 160 acres from the park and add it to the Sequoia National Forest; and (2) exclude a tract of approximately 220 acres from the Sequoia National Forest and add it to the park.

Need

The 160 acres which will be excluded from the park is in the Summit Meadow area. The exclusion of this land from the park will straighten the park boundary at this location and will exclude 40 acres of privately owned property not needed for park purposes.

The 220 acres which will be added to the park is located adjacent to the General Grant Grove section of the park. The addition of this land will place entirely within the park boundary a loop of State Highway 180 which now enters the park, leaves it, and reenters it. The Interior Department points out in its report that—

with this section of the road entirely within the park, road maintenance responsibilities would be simplified and the confusion which now exists in this area during the hunting season * * * would be eliminated.

Moreover, this 220-acre tract of land is said to contain, among other things, "many splendid *Sequoia gigantea* exhibits * * * worthy of preservation" and is valuable for park purposes.

Cost

No appropriation of Federal funds is authorized by this legislation, and its enactment will entail little or no expenditure by the Federal Government.

Departmental recommendations

The Department of the Interior recommends the enactment of the measure.

AGENCY REPORT

The favorable report of the Department of the Interior, which advises that the Bureau of the Budget has no objection to the submission of the report, is set forth following:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., September 5, 1957.

HON. CLAIR ENGLE,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.*

DEAR MR. ENGLE: Your committee has requested a report on H. R. 6038, a bill to revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

We recommend the enactment of this bill.

This proposed legislation, by revising the boundaries of Kings Canyon National Park, would (1) exclude a tract of approximately 160 acres from the park and add it to Sequoia National Forest; and (2) exclude a tract of approximately 220 acres from the Sequoia National Forest and add it to the General Grant Grove section of the park. Both the proposed exclusion and addition would facilitate the protection and administration of the park.

The proposed exclusion from the park is in the Summit Meadow area. The straightening of the boundary at this location would provide a boundary easy to identify and would exclude from the park privately owned property of approximately 40 acres that is not needed for park purposes. Also, the proposed boundary would be very close to the hydrographic divide between Lightning Creek and Sheep Creek. This would be a considerable improvement over the present boundary. The lands to be excluded from the park would become a part of the Sequoia National Forest.

The proposed addition to the park, which is all federally owned national forest land, is located adjacent to the General Grant Grove section of the park. One of the primary reasons for this addition is to place entirely within the park boundary a loop of State Highway 180 (Fresno approach road to the Generals Highway) which now enters the park, leaves it, and reenters it. With this section of the road entirely within the park, road maintenance responsibilities would be simplified and the confusion which now exists in this area during the hunting season, because hunters cannot be certain whether they are in the park or in the national forest, would be eliminated.

This tract of land is valuable for park purposes. It contains many splendid *Sequoia gigantea* exhibits which are worthy of preservation. One of these is the Burned Monarch Stump, believed by many to be the remnant of the largest of all sequoia trees. A historic, early-day millsite located on this tract could provide an ideal setting for an exhibit illustrating early logging practices in the Sierra.

The United States Forest Service officially approved these two boundary revisions on February 16, 1956. Local support was expressed at a public hearing at Visalia, Calif., in the fall of 1955 the principal western conservation groups endorsed these proposals at a meeting on June 3, 1955.

Enactment of this proposed legislation would not result in any appreciable increase or decrease in budgetary requirements for the national park.

The Bureau of the Budget advises us that there is no objection to the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

The Committee on Interior and Insular Affairs recommends enactment of H. R. 6038.

○

Calendar No. 2126

85TH CONGRESS
2D SESSION

H. R. 6038

[Report No. 2079]

IN THE SENATE OF THE UNITED STATES

JULY 8 (legislative day, JULY 7), 1958

Read twice and referred to the Committee on Interior and Insular Affairs

JULY 31, 1958

Reported by Mr. O'MAHONEY, without amendment

AN ACT

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That for the purpose of improving the boundary of Kings
4 Canyon National Park, California, and excluding therefrom
5 certain land that is no longer needed for park purposes, that
6 particular area of the park, comprising approximately 160
7 acres, lying west of the section line between sections 21 and
8 22, and lying west of the section line between sections 27
9 and 28, township 13 south, range 30 east, Mount Diablo
10 meridian, is hereby excluded from the park.

1 Land excluded from the park by this section hereafter
2 shall be a part of the Sequoia National Forest.

3 SEC. 2. For the purposes of facilitating park road main-
4 tenance, and to include in the park certain property that is
5 desirable for future use and development, the following land
6 situated in section 7, township 14 south, range 28 east,
7 Mount Diablo meridian, is hereby excluded from the Sequoia
8 National Forest and added to the Kings Canyon National
9 Park:

10 East half northeast quarter, east half west half northeast
11 quarter, northeast quarter southeast quarter, east half north-
12 west quarter southeast quarter, and those portions of the
13 southeast quarter southeast quarter and of the east half south-
14 west quarter southeast quarter, lying north of the right-of-
15 way of State Highway 180.

Passed the House of Representatives July 7, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

85TH CONGRESS
2D SESSION

H. R. 6038

[Report No. 2079]

AN ACT

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

JULY 8 (legislative day, JULY 7), 1958

Read twice and referred to the Committee on Interior
and Insular Affairs

JULY 31, 1958

Reported without amendment

The Interior and Insular Affairs Committee ordered reported without amendment S. 4009, to increase the amount authorized to be appropriated for the Washoe reclamation project, Nev. and Calif., and with amendment S. 3448, to permit the Secretary of the Interior to authorize increases in the 160-acre limitation on the Seedskaadee Reclamation project. p. D789

The Interior and Insular Affairs Committee reported without amendment H. R. 13523, to authorize the construction and maintenance by Interior of the Fryingpan-Arkansas reclamation project (H. Rept. 2427). pp. 14768-69

12. WHEAT; CORN MEAL. Passed without amendment H. R. 13268, to authorize CCC to purchase flour and corn meal for donation instead of having such products processed from its own stocks. pp. 14691-92
13. DESERT-LAND ENTRIES. Passed with amendments S. 359, to permit desert land entries on disconnected tracts of land aggregating less than 320 acres and form a compact unit. p. 14696
14. TRANSPORTATION. Passed under suspension of the rules H. R. 8382, to provide for the licensing of independent foreign freight forwarders (pp. 14747-48); and H. R. 474, to repeal Sec. 217 of the Merchant Marine Act of 1936 relating to the coordination of the forwarding and servicing of water-borne export and import foreign commerce of the U. S. (p. 14748).
15. FRUITS AND NUTS. Voted 40 to 33 to suspend the rules and pass H. R. 11056, to amend the Agricultural Marketing Agreement Act so as to extend restrictions on certain imported citrus fruits, dried fruits, walnuts, and dates. At the request of Rep. McCormack further consideration of the bill was postponed until Wed., Aug. 6. pp. 14754-60
16. WATERSHEDS. Received from the Budget Bureau plans for works of improvement pertaining to the following watersheds: Furnace Brook-Middle River, Conn. and Mass.; Busseron, Ind., and Crooked Creek, Iowa; to Agriculture Committee. p. 14768
17. RADIO FREQUENCIES. The Interstate and Foreign Commerce Committee reported with amendments S. J. Res. 106, to establish a commission to investigate the utilization of the radio and television frequencies allocated to agencies and instrumentalities of the Federal Government (H. Rept. 2355). p. 14768
18. SALINE WATER. The Interior and Insular Affairs Committee ordered reported with amendment S. J. Res. 135, to provide for the construction of demonstration plants for the production, from saline waters, of water suitable for agricultural, industrial and consumptive uses. p. D789
19. MILITARY CONSTRUCTION. Conferees agreed to file a conference report on H. R. 13015, the military construction authorization bill. p. D790
20. PERSONNEL. Passed over, at the request of Rep. Ford, H. R. 1168, to restore the pay of officers or employees to the level of the grade held before downgrading in certain cases. p. 14684

SENATE

21. PRICE SUPPORTS. Sen. Proxmire criticized the cost of the present price support farm program and inserted an economic analysis of the cost of his bill, S. 2952, which concluded that it would be less expensive than the present program. pp. 14642-3

22. RESEARCH. Passed as reported S. 4039, to authorize the head of any Government agency now making contracts for research to grant funds for the support of such research. pp. 14623-4
23. PERSONNEL. Passed as reported H. R. 7710, to provide for the lump sum payment of all accumulated and accrued annual leave of deceased employees. p. 14626
24. MINERALS. At the request of Sen. Talmadge, passed over S. 4146, to provide for incentive payments for the production of certain minerals. p. 14626
The interior and Insular Affairs Committee reported without amendment S. Res. 225, to extend until Jan. 31, 1959, the time for filing a report on the study of strategic raw materials in the Western hemisphere (S. Rept. 2175). p. 14546
25. FISHERIES; EXTENSION SERVICE. Passed as reported S. 2973, to establish a fishery extension service in the Fish and Wildlife Service to carry out co-operative fishery extension work with the States. pp. 14627-8
26. FORESTRY. Passed without amendment the following bills:
S. 3682, to authorize the Secretary to convey certain national forest lands in Ariz. to the Univ. of Ariz. p. 14629
H. R. 6038, to authorize transfers of land between the Sequoia National Forest and the Kings Canyon National Park, Calif. This bill will now be sent to the President. p. 14630
H. R. 6198, to authorize the transfer of not more than 10 acres of land from the Sequoia National Park to the Sequoia National Game Refuge in Sequoia National Forest, Calif. This bill will now be sent to the President. p. 14630
The Agriculture and Forestry Committee reported with amendment S. 4053, to extend the boundaries of Siskiyou National Forest (S. Rept. 2171). p. 14546
27. DEFENSE PRODUCTION. Began debate on S. 4162, to provide for the cancellation of certain uncollectible loans and operating losses under Title III of the Defense Production Act, to increase (in effect) the borrowing authority for the defense stockpile \$300 million. pp. 14631-2, 14644-50
28. MONOPOLIES. At the request of Sen. Talmadge, passed over S. 11, to amend the Robinson-Patman Act with reference to equality of opportunity. p. 14618
29. WATER RESOURCES. At the request of Sen. Talmadge, passed over S. 3185, to promote fish and wildlife conservation by requiring prior approval by the Secretary of the Interior of licenses issued under the Federal Power Act. p. 14623
30. ADMINISTRATIVE ORDERS. The Judiciary Committee reported without amendment H. R. 6788, to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the laws relating thereto (S. Rept. 2129). p. 14545
31. TOBACCO. The Agriculture and Forestry Committee reported with amendment S. Res. 334, to direct the committee to study marketing practices relative to loose and tied tobacco (S. Rept. 2163); which was then referred to the Rules and Administration Committee. p. 14546
The Agriculture and Forestry Committee reported without amendment H. R. 12840, to provide a single acreage allotment for Va. sun-cured and Va. fire-cured tobaccos if farmers vote approval in a referendum (S. Rept. 2162) p. 14546

(48 U. S. C. 381), was considered, ordered to a third reading, read the third time, and passed.

STATUS OF CERTAIN PUBLIC LANDS, TERRITORY OF HAWAII

The bill (H. R. 10423) to grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands was considered, ordered to a third reading, read the third time, and passed.

HEADQUARTERS SITE FOR MOUNT RAINIER NATIONAL PARK

The bill (S. 2905) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to apply the present headquarters site in Mount Rainier National Park to public use for which it is more suitable and to provide an efficient operating base for the park, the Secretary of the Interior is authorized to provide a park headquarters in the general vicinity of Ashford, Wash., and for such purpose to acquire in this vicinity, by such means as he may deem to be in the public interest, not more than three hundred acres of land, or interest therein.

SEC. 2. The headquarters site provided pursuant to this act shall constitute a part of Mount Rainier National Park and be administered in accordance with the laws applicable thereto.

SALE OR EXCHANGE OF CERTAIN LANDS, PIMA COUNTY, ARIZ.

The bill (S. 3682) to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all or any part of the national-forest lands comprised of 349 acres, more, or less, and being situated in sections 10 and 15, township 14 south, range 13 east, Gila and Salt River base and meridian, together with the improvements thereon, may be conveyed to the board of regents of the university and State colleges of Arizona, hereinafter called "board," a body corporate of the State of Arizona, for the use of the University of Arizona, by the Secretary of Agriculture, hereinafter called "Secretary," either (a) in exchange for lands to be conveyed to the United States by the board or by the State of Arizona, within any of the national forests in the State of Arizona, having a value at least equal to the lands and improvements to be conveyed to the board: *Provided,* That any lands conveyed to the United States under the provisions of this act shall thereupon become parts of the national forests in which they are situated and shall be subject to all laws, rules, and regulations applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, or (b) for a sum of money equal to 50 percent of the appraised value thereof, as determined by the Secretary, the conveyance to be made upon the condition that the described property shall be used for research or educational purposes and that if it ceases to be so used

the title thereto shall revert to the United States, which shall have the immediate right of reentry thereon, and upon the further condition that the board shall enter into such agreement as may be satisfactory to the Secretary to continue to provide suitable space and other facilities for the work of the Department of Agriculture as may be agreed upon. The lands conveyed by either party under (a) or by the Secretary under (b) may be subject to such other reservations, exceptions, and conditions as the Secretary and the board may approve.

PROCUREMENT AND SUPPLY OF GOVERNMENT HEADSTONES AND MARKERS

The bill (S. 3882) to amend the act of July 1, 1918, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first sentence of the first section of the act of July 1, 1948 chapter 791 (24 U. S. C. 279a), is amended to read as follows:

"That the Secretary of the Army is authorized and directed to furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Soldiers of the Union and Confederate Armies of the Civil War.

"(2) Members of the Armed Forces of the United States dying in the service and former members whose last service terminated honorably.

"(3) Persons buried in post and national cemeteries.

"(4) Members of a reserve component of the Armed Forces of the United States, and members of the Army National Guard or the Air National Guard, whose death occurred under honorable conditions while they were—

"(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

"(B) performing authorized travel to or from that duty or service;

"(C) on authorized inactive duty training, including training performed as members of the Army National Guard or the Air National Guard; or

"(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) on that duty or service;

"(ii) performing that travel or inactive duty training; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(5) Members of the Reserve Officers Training Corps of the Army, Navy, or Air Force whose death occurred under honorable conditions while they were—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States."

DEVELOPMENT OF INDEPENDENCE NATIONAL HISTORICAL PARK

The bill (H. R. 1244) to provide for the development, by the Secretary of the Interior, of Independence National Historical Park, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CLARK. Mr. President, this bill, which comes from the Committee on Interior and Insular Affairs, provides for the development of Independence National Historical Park, in Philadelphia. By the act of June 28, 1948, certain lands were authorized to be acquired—by purchase, donation, or otherwise.

It is desired that certain additional lands be authorized to be acquired in similar fashion.

I have introduced Senate bill 4216 for that purpose; and my colleague from Pennsylvania, in the House of Representatives, Representative JAMES BYRNE, has introduced an identical bill, H. R. 12720. That bill has been approved by the House committee, and is supported by the administration, including the Secretary of the Interior.

I have just now cleared this matter with my distinguished friend, the junior Senator from Wyoming [Mr. O'MAHONEY], who represents our committee in this regard. He has indicated that the committee would approve either my bill or House bill 12720, which are identical in language, if I were to offer either of them as an amendment to the pending bill, to constitute an additional section of it.

Accordingly, Mr. President, I send to the desk an amendment which I ask to have stated, and to have included as section 3 of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, following line 2, it is proposed to insert:

SEC. 4. (a) Subsection (d) of section 1 of the act of June 28, 1948 (16 U. S. C. 407m), is hereby amended by striking out the colon and inserting in lieu thereof, immediately before the proviso, the following: "and certain land and buildings adjoining 'project E', being known and numbered as 8, 10, and 12 North Second Street, and 201, 203, 205, 207, 209, 211-213, 215, 217, 219, and 221 Market Street."

(b) The first sentence of section 6 of such act of June 28, 1948 (16 U. S. C. 407r), is amended by striking out "\$7,700,000" and inserting in lieu thereof "\$7,950,000."

Mr. O'MAHONEY. Mr. President, I wish to state for the RECORD that 10 years ago I had a part to play in the approval by the Committee on Interior and Insular Affairs, and later the passage by the Senate, of the act of June 28, 1948, to establish Independence National Historical Park, in the city of Philadelphia. I know how worthy that project is.

The amendment the Senator from Pennsylvania has offered to the pending bill has, as he has said, been approved by the House committee. It is in entire harmony with the pending measure. On behalf of the committee, I am very willing to accept the amendment, and also

to take it to conference, if that should be necessary.

Mr. CLARK. Mr. President, I should like to express my deep appreciation and gratitude to my friend, the Senator from Wyoming, for his consideration in this regard; and I should also like to express my appreciation and gratitude to my good friend on the other side of the aisle [Mr. HRUSKA], who has also agreed to the amendment, in order that this needed procedure may be taken to expedite the matter at issue.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I am happy to yield.

Mr. MORSE. I understand the project is a most meritorious one, indeed; and I wish to commend the Senator from Pennsylvania for his sponsorship of it.

Do I correctly understand that the amendment authorizes the acquisition of additional property which it has been decided is needed in order to carry out the full purposes of the project?

Mr. CLARK. That is correct. Christ Church, in Philadelphia, as the Senator from Oregon knows, is one of the old, historical landmarks. Christ Church cemetery is where Benjamin Franklin is buried. The amendment merely authorizes the acquisition of sufficient additional property, so that access to Christ Church and the historical shrine where so many distinguished Americans are buried can properly be protected as a part of this great national historical park.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 1244) was read the third time, and passed.

CONVEYANCE OF RIGHT, TITLE, AND INTERESTS IN CERTAIN REAL PROPERTY TO STELLA VUSICH

The bill (H. R. 2689) to provide for the conveyance of all right, title, and interest of the United States in and to certain real property to Stella Vusich was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I have no objection to the bill; but I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H. R. 2689 would authorize the conveyance of all right, title, and interest of the United States in and to certain real property to a Stella Vusich.

The purpose of the bill is to remove a cloud on the title to the land in question. The United States, however, reserves all rights to oil, gas, and other minerals in the land.

According to the committee report, the land was part of a right-of-way granted to the Southern Pacific Railroad under an act of 1871. The railroad did not use the right-of-way and apparently disposed of it. An act of 1922, however, validates such dispositions only if the right-of-way is abandoned or forfeited by decree of a court of competent jurisdiction or act of Congress. The land was not abandoned in this manner.

This bill is similar to many other bills passed by Congress in the past few years, and is designed merely to remove a cloud on the title.

No objection of Morse formula is involved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2689) was considered, ordered to a third reading, read the third time, and passed.

FURNISHING OF HEADSTONES OR MARKERS FOR DECEASED MEMBERS OF THE ARMED FORCES

The bill (H. R. 4381) to amend the act of July 1, 1948, to authorize the furnishing of headstones or markers in memory of members of the Armed Forces dying in the service, whose remains have not been recovered or identified, or were buried at sea, was considered, ordered to a third reading, read the third time, and passed.

Mr. O'MAHONEY. Mr. President, I have before me Calendar No. 2122, which appears not to be on the printed calendar.

The PRESIDING OFFICER. The Chair informs the Senator from Wyoming that that bill was passed on a previous occasion.

Mr. O'MAHONEY. I thank the Chair.

QUITCLAIM OF CERTAIN LAND TO KENTUCKY

The bill (H. R. 4503) to provide that all interest of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed to the Commonwealth of Kentucky was announced as next in order.

Mr. MORSE. Mr. President, H. R. 4503 provides that all interests of the United States in approximately 12 acres of land located in Kentucky shall be conveyed to the Commonwealth of Kentucky without consideration.

The Department of the Army reports that the property which was originally conveyed to the Government, without consideration by the State of Kentucky, for a particular purpose, is now surplus to its needs. The Department of the Army under the bill retains the rights to cross the land involved as are required for the operation, repair, maintenance, or reconstruction of existing or future improvements on the river.

Because the property is no longer needed for the purposes for which it was intended, the bill does not violate the Morse formula.

Mr. President, I make this statement for the benefit of the researchers in the Library of Congress, who apparently do not understand the consistent application of that particular formula. At no time have I applied it to a piece of property which was given to the Federal Government by a State, a municipality, or other donor for a specific Federal purpose and, when that purpose has been accomplished or can no longer be subserved, the property went back to the donor. That is not like the Oregon case which came up earlier this afternoon. In the Oregon case the property was given to the Federal Government, and thereby to all the taxpayers of the United States, as an out-and-out gift. It belongs to the people of the United States. The fact that now a city in my State seeks to get property back without any consideration at all, because it was originally given to the Federal Government, is a clear violation of the Morse formula.

Let me repeat, when a piece of property is given to the Federal Government for a specific Federal purpose and the Federal Government thereafter ceases to exercise that purpose, the Morse formula is not violated when the property is then given back to the donor, in this case the State of Kentucky. It is not a violation of the Morse formula.

Mr. COOPER. Mr. President, I appreciate very much the correct statement by the Senator of facts which are applicable to H. R. 4503. The Senator from Oregon has made a very clear distinction between this case and a case in which he calls into application his formula, and I thank him for his statement.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 4503?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

ENLARGEMENT OF HEADQUARTERS SITE FOR ISLE ROYALE NATIONAL PARK, MICH.

The bill (H. R. 5450) to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Mich., was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARY OF KINGS CANYON NATIONAL PARK, CALIF.

The bill (H. R. 6038) to revise the boundary of the Kings Canyon National Park, Calif., was considered, ordered to a third reading, read the third time, and passed.

EXCLUSION OF CERTAIN LANDS FROM THE SEQUOIA NATIONAL PARK, CALIF.

The bill (H. R. 6198) to exclude certain lands from the Sequoia National Park in the State of California, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Public Law 85-666
85th Congress, H. R. 6038
August 14, 1958

AN ACT

To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of improving the boundary of Kings Canyon National Park, California, and excluding therefrom certain land that is no longer needed for park purposes, that particular area of the park, comprising approximately 160 acres, lying west of the section line between sections 21 and 22, and lying west of the section line between sections 27 and 28, township 13 south, range 30 east, Mount Diablo meridian, is hereby excluded from the park.

Kings Canyon
National Park,
Calif.
Boundary
revision.
72 Stat. 616.
72 Stat. 617.

Land excluded from the park by this section hereafter shall be a part of the Sequoia National Forest.

SEC. 2. For the purpose of facilitating park road maintenance, and to include in the park certain property that is desirable for future use and development, the following land situated in section 7, township 14 south, range 28 east, Mount Diablo meridian, is hereby excluded from the Sequoia National Forest and added to the Kings Canyon National Park:

East half northeast quarter, east half west half northeast quarter, northeast quarter southeast quarter, east half northwest quarter southeast quarter, and those portions of the southeast quarter southeast quarter and of the east half southwest quarter southeast quarter, lying north of the right-of-way of State Highway 180.

Approved August 14, 1958.

